



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 59
Comm #: 53036-9702-01-A
BRRTS #: 03-28-002662
Site Name: Loppnow Property
Site Address: W1301 Marietta Avenue, Ixonia, 53036
Site Manager: Jeff Ackerman
Address: 3911 Fish Hatchery Road
City, State Zip: Fitchburg, WI 53711-5367
Phone: (608) 275-3323
e-mail: Jeff.Ackerman@Wisconsin.gov
Bid Manager: Stephen D. Mueller
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4704
e-mail: Stephen.Mueller@Wisconsin.gov

Bid-Start Date:	February 16, 2009
Questions must be received by (See Section 2 (B)):	March 2, 2009
Responses will be posted by (See Section 2 (B)):	March 20, 2009
Bid-End Date and Time:	April 3, 2009

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is a former retail service station and bulk storage facility located on 0.3 acres in the Town of Ixonia, in Jefferson County. The facility operated between 1928 and 1983 and included three former buildings: a pump house in the southeast corner, a service station in the east-central portion, and a repair garage in the west central area. The site is currently unpaved and used for parking for the neighboring Lippy's Bar to the immediate west.

The site had five aboveground storage tanks (ASTs) ranging from 9,000 gallons to 15,000 gallons capacity that formerly stored gasoline and diesel fuel. These tanks were removed in 1983. A 500-gallon fuel oil underground gasoline storage tank (UST) was removed in 1997 near the northwest corner of the former repair garage. And, in late 2005, three 750-gallon leaded gasoline USTs, two "crushed" and "heavily deteriorated" 300-gallon diesel fuel USTs, and a 300-gallon UST containing "hydraulic grease" were removed during demolition of site buildings. The 750-gallon tanks were located between the former station and repair garage buildings; the two smaller diesel fuel tanks were located along the east side of the former station building; and, the "hydraulic grease" tank was located under the south wall of the former repair garage.

The site investigation (SI) was initiated after contamination was discovered during sewer work in the roadway in front of the site. The SI began in 1996 with soil probes, followed by soil borings completed as one temporary and 12 permanent monitoring wells in July 1997 through February 2006. No site remediation has been conducted to date.

In early 2008, eight additional soil borings (seven completed with small-diameter "temporary" wells) were advanced and one NR 141 monitoring well was installed to further evaluate the former station's USTs basin and an area of suspected surface spills between the former pump house and the residential duplex to the east of the source property. In addition, the owner-occupant of the duplex was interviewed for possible vapor intrusion problems.

The geology of the investigated area consists of variable layers of clay and clayey sands. Based on private well construction reports, bedrock may be present at about 65 feet below ground surface (bgs). The water table is typically at a depth of five to eight feet, and the horizontal groundwater flow direction is variable. The vertical gradient suggests a downward flow component. The groundwater flow rate is probably very slow.

The highest known soil contamination levels are near the former pump house and the west side of the residential duplex to the east of the source property (GP-1, MW-4, MW-6, PZ-1, TW-15), the former dispenser island (GP-5, MW-1, TW-19), and the USTs basin between the former service building and garage (TW-18). The contamination near the duplex may be the result of overfilling of bulk trucks at the pump house.

The recent soil sampling characterized shallow soil conditions that may pose a direct contact risk. Possible direct-contact risks are located at the former pump house and the potential overfill area, the former pump island, and the USTs basin between the former buildings.

No soil samples were collected to characterize the soil contamination in the vicinity of the six tanks that were removed in 2005.

High contaminant concentrations in soil and groundwater at the eastern side of the site pose a threat for vapor and groundwater plume migration into the neighboring duplex and potable well, although a preliminary evaluation of the vapor intrusion potential and potable well samples do not identify known problems at this time.

The extent of groundwater contamination is delineated and is highest at the eastern side of the site. The known groundwater contamination extends to the neighboring duplex property, and possibly beneath the roadway to the north and the railroad right-of-way to the south.

Benzene was detected at 46 µg/L in piezometer PZ-1 (screened 35-40 feet below ground surface), located near the former pump house, during the initial sampling in September 2003. Two subsequent samplings suggest this detection was associated with well installation and that the groundwater contamination has not migrated to depth.

Four adjacent private wells have been sampled multiple times and no detections for petroleum hydrocarbon compounds reported. Low-level detects of chloromethane and/or chloroform in several of the wells might be attributed to well disinfection or laboratory interference.

Minimum Remedial Requirements

Goals of the bid scope of work are to:

1. Remediate soil via excavation to eliminate the direct contact threat, mitigate the potential for vapor intrusion and migration of contaminated groundwater into the duplex water supply well, and facilitate the natural attenuation of remaining contamination within a reasonable time frame.
2. Properly abandon monitoring wells that will be damaged during excavation and install replacement monitoring wells after the excavations are complete.
3. Evaluate groundwater conditions following the remediation. Determine any changes in groundwater chemistry and flow conditions, and confirm that the nearby potable wells are still unaffected by the conditions at the site.
4. Prepare a report detailing the methods and results of the remedial action, summarizing the groundwater conditions, and providing a recommendation for additional action(s) or site closure.
5. Miscellaneous tasks.

Details for each task follow:

Remediate soil via excavation.

Excavate and properly dispose of approximately 1,400 cubic yards (2,100 tons) of contaminated soils at the approximate locations and depths indicated on the attached figure and/or discussed below.

In general, the excavation will be most extensive near the neighboring duplex and less so away from (west of) the duplex. Plan to dig up to six test pits (or soil borings) at the beginning of the field work, to further define the target depth of excavation beneath the former station and repair garage buildings and the western-most extent of excavation (see site map). Be prepared to collect 2 soil samples from each test pit (boring) for 1-day turn-around laboratory analysis of PVOCs and naphthalene, to refine the target lateral and/or vertical extent of excavation in specified areas. The DNR and/or Commerce staff assigned to the project will be on site during the test pit (boring) effort

to observe and discuss potential changes to the base excavation plan established in this bid specifications.

All excavations must be backfilled with low permeability material to minimize infiltration and future movement of residual contaminants toward the duplex. The backfill must be compacted in one-foot lifts, using suitable engineering methods, to minimize porosity and permeability. If soils are excavated that appear to be substantially less contaminated than the target soils, based on field observations and PID screening measurements, these soils will be incorporated into the backfill in areas away from the duplex, with approval from the DNR staff assigned to the project.

The consultant will be responsible for locating and protecting the integrity of all utility lines and appurtenances. If utility lines and appurtenances may affect the size of the remedial excavations, DNR and Commerce must be contacted to discuss alternative excavation strategies and/or removal and replacement of the structure in question. Plan for temporary relocation of the power line tensioning pole and guy wire that are located in the center of the site. This work will be done by WE Energies, but the winning bidder will be responsible for assuring that the relocation is performed in time for the excavation.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included in the bid. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, compliant bids must include a line-item cost for TCLP sample collection and analysis, to be used if required.

Excavation A will occur in the area of the former pump house and will be roughly 25 feet by 38 feet. The estimated amount of soil to be removed is 350 cubic yards (530 tons), based on an approximate depth of 10 feet below ground surface (bgs). The south side of the excavation will be the diagonal property line between the Loppnow property and the railroad right-of-way.

Excavation B will be adjacent to the neighboring duplex. For estimation purposes, the planned excavation is divided into two subareas – B1 (36 feet by 26 feet) and B2 (32 feet by 13 feet). The estimated amount of soil to be removed is 500 cubic yards (750 tons), based on an approximate depth of 10 feet below ground surface (bgs).

The western half of the duplex is constructed slab-on-grade, while the eastern side has a basement. A compliant bid will explain how both the structural integrity of the duplex building and the vertical integrity of the excavation walls along the perimeter of the duplex will be maintained. In addition, the compliant bid will include costs for replacement or reinstallation of fencing, grass, walkways, or other features removed or damaged during excavation and other site activities.

The Loppnow property owner will secure access with the duplex property owner. The DNR and Commerce will help to secure access, if necessary.

Excavation C will be undertaken in the area of the former dispenser island to remove “direct contact zone” contamination to a depth of 4 feet bgs. The excavation will be approximately 19 feet by 34 feet, and the estimated amount of soil to be removed is 95 cubic yards (140 tons). The excavation may be extended laterally and/or deeper, depending on the magnitude of contamination encountered, but must be agreed to by the DNR and costs pre-approved by Commerce.

Excavation D will include the former tank basin on the east side of the station building and the tank basin between the station and repair garage buildings. The area is divided into D1 (32 feet by 24 feet, to a depth of 4 feet bgs) and D2 (32 feet by 32 feet, to a depth of 8 feet bgs) to address the two former tank basins. The estimated amount of soil to be removed from D1 is 115 cubic yards (175 tons) and from D2 is 300 cubic yards (450 tons). The actual amount of soil excavated, especially in D1, will be based on the results of the test pits (borings) and will be agreed to by the DNR and costs pre-approved by Commerce.

The Loppnow property owner has agreed to contact WE Energies for the temporary relocation of the power line tensioning pole from the area of Excavation D2. The winning bidder shall assure that the relocation is completed before the excavation.

Abandon monitoring wells that will be damaged during excavation and install replacement monitoring.

Monitoring wells MW-1R, MW-4, MW-6R, PZ-1, and MW-12 shall be abandoned in accordance with NR 141, Wis. Adm. Code, prior to commencing the excavations. Following excavation, MW-1R, MW-4, MW-6R, and MW-12 shall be replaced (in compliance with NR 141, Wis. Adm. Code) with new wells at approximately the same depths and locations. The required forms shall be included with the report. The new wells and the other on-site wells (including MW-2 and MW-5) shall be surveyed relative to Mean Sea Level using a level loop technique (no side shots).

Evaluate groundwater conditions following the remediation.

Perform three rounds of quarterly monitoring at MW-1RR, MW-2, MW-3R, MW-4R, MW-5, MW-6RR, and MW-12R for water level elevation (and product thickness, if encountered) and laboratory analysis of PVOCs and naphthalene.

Perform a fourth round of quarterly monitoring at all of the monitoring wells (MW-1RR, MW-2, MW-3R, MW-4R, MW-5, MW-6RR, MW-7, MW-8, MW-9, MW-10, MW-11, and MW-12R) for water level elevation (and product thickness, if encountered) and laboratory analysis of PVOCs and naphthalene.

The fourth round of monitoring shall also include sampling of the on-site Lopy's Bar potable well, and off-site Smith, Zunker, and Herman potable wells for PVOCs and naphthalene. Samples should be collected from a sample tap or faucet near the pump, but before treatment, storage or pressure systems. If the sampling tap has an aerator, filter or other device, remove it. Allow the water to run from the tap for at least five minutes prior to collecting the sample. Reduce water flow to a thin stream, then collect the water samples as described in section 2.5 in the DNR Groundwater Sampling Field Manual (DNR PUBL – DG – 038 96). Access to off-site well locations will need to be secured prior to mobilization.

Prepare a report

Upon completion of all site work, prepare a comprehensive report documenting all of the excavation and groundwater sampling activities (including all past groundwater results). The report will include groundwater elevation and flow maps; isoconcentration maps of residual soil and groundwater contamination; updated tables that show all historic groundwater data on one table; concentration trend analyses; and all appropriate and required field forms, maps, tables, laboratory reports, etc. The report must be submitted to the DNR (copy to Commerce) no later than three (3) months after completion of the bid scope of work.

Miscellaneous tasks.

Properly dispose of all sampling wastes generated from all activities conducted under this bid scope, and provide all waste disposal documentation. Wastewater disposal should be completed after each sampling event.

Complete web reporting requirements (see <http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>) and prepare a PECFA claim for the bid scope of work completed.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

To save costs, only portions of the case file are at the copy shop (text, figures, tables and boring logs). The entire file should be reviewed at the WDNR Fitchburg office.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation

cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to

notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Loppnow Property

COMMERCE #: 53036-9702-01

BRRTS #: 03-28-002662

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Loppnow Property

COMMERCE #: 53036-9702-01

BRRTS #: 03-28-002662

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1a	Test pits (borings) and 2 soil samples from each for laboratory analysis.	\$	
1b	Stabilization of Excavation B walls along duplex.	\$	
1c	Excavate and dispose of 2,100 tons of contaminated soil.	\$	
1d	Excavation confirmation (wall, floor, landfill) soil samples for laboratory analysis.	\$	
2	Properly abandon 5 monitoring wells (assume 100 total feet) and replace with 4 monitoring wells (assume 15 feet each).	\$	
3a	Three quarters of groundwater sampling of 7 monitoring wells.	\$	
3b	Final quarter of groundwater sampling of 12 monitoring wells.	\$	
3c	Sampling of one on-site and three off-site potable wells.	\$	
4	Report, upon completion of bid work.	\$	
5a	Waste disposal (assume 2 drums for drill cuttings, 5 drums for development water and sampling purge water).	\$	
5b	Web reporting & PECFA claim preparation.	\$	
	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
•	Collection and analysis of TCLP soil samples for landfill disposal approval.	\$	
•	Per ton (unit) cost for additional excavation above 2,100 tons (incl. all consultant and commodity costs).	\$	